A.—The Forest Panchayats are not consulted in the allotment of blocks or coupes in the reserves under the control of the Forest Department and in the allotment of major coupes in the Panchayat Forests. But in cases where small fuel coupes are worked in the Panchayat Forests, the scheme is drawn up after consulting the panchayats which are to work them.

Mr. M. A. Manikkavelu Nayakar:—" May I know what the difficulty is in consulting forest panchayats in regard to the major coupes? "

The hon. Diwan Bahadur Sir M. Krishnan Nayar:—" With reference to major coupes, working plans were already adopted and they are being worked even now."

Prisons

Release of Mappilla prisoners.

*251 *Q.*—Mr. Yakub Hasan: Will the hon. the Law Member be pleased to state—

(*a*) how many Mappillas imprisoned or confined in connexion with the Malabar Rebellion of 1921 have been released since 1st January 1931;

(*b*) how many are still (1) in the Andamans and (2) in other jails;

(*c*) what period still remains to be served by these prisoners; and

(*d*) in view of the promise made by the hon. the Law Member on the floor of the House in March last, what decision the Government have arrived at in the matter of the release of the remaining Mappilla prisoners?

A.—(*a*) Two hundred and sixty-four prisoners including 226 from the Andamans were released from the 1st January 1931 to the 14th August 1931. Four State prisoners have also been released since 1st January 1931.

(*b*) The figures as on the 14th August 1931 are—
(1) 557.
(2) 1,489.

(*c*) Varying periods between a year and a half and 26 years, not taking remissions and premature releases into account.

(*d*) The hon. Member is referred to the press communiquè [a], dated the 24th October 1931, a copy of which is placed on the table.

Mr. Yakub Hasan:—" Will the hon. the Law Member be pleased to give, with reference to this communiquè, a rough idea at least of the number of those who have been guilty of more heinous offences."

The hon. Diwan Bahadur Sir M. Krishnan Nayar:—" I am not able to give exact information, but, as far as I can say, I suppose roughly it will be about 150 or so. My friend should not take my answer as being accurate. I am only speaking from memory."

[a] Printed as Appendix III-A at page 138 infra.

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B. Pocker Sahib Bahadur :—" May I know the reason why the Government took such a long time to issue this communiqué? They gave a promise to this House to this effect in March last? "

The hon. Diwan Bahadur Sir M. Krishnan Nayar :—" Sir, on the contrary, I think that there has been no delay. It has been possible to take this action so soon only on account of the fact that this question has always been engaging the attention of the Government."

B. Pocker Sahib Bahadur :—" Have the personal histories of these persons been considered by the Government and have they come to any conclusion? "

The hon. Diwan Bahadur Sir M. Krishnan Nayar :—" The Government have come to the conclusion that such of them as may be released without danger to society should be released."

Mr. Abdul Hameed Khan :—" May I ask the hon. the Law Member whether the Government have not decided to close down the Alipuram jail? "

The hon. Diwan Bahadur Sir M. Krishnan Nayar :—" It is the intention of the Government to close it, if they can, by the end of the current official year."

B. Pocker Sahib Bahadur :—" If the Government have come to a conclusion regarding the individuals who will not be a danger to society if they are released, the time taken by them is justifiable. But have they come to any conclusion as regards the individuals to be released? The communiqué says it is left to the discretion of the District Magistrate? "

Diwan Bahadur M. Gopalaswami Mudaliyar :—" Sir, the communiqué says that these prisoners will be released in batches. May I ask the hon. the Law Member to state what the number, in practice, which each of these batches will consist of? "

The hon. Diwan Bahadur Sir M. Krishnan Nayar :—" It is not possible to say that now."

Mr. Yakub Hasan :—" Do I understand the hon. the Law Member to say that out of the 2,400 odd prisoners, about 150 will be retained and the rest will be released? "

The hon. Diwan Bahadur Sir M. Krishnan Nayar :—" As I told my hon. Friend, that is my impression."

B. Pocker Sahib Bahadur :—" Under the communiquè issued, is it not left to the discretion of the District Magistrate to decide upon the persons to be released? "

The hon. Diwan Bahadur Sir M. Krishnan Nayar :—" It is left to the discretion of the Government who have to base their conclusions upon the report of the District Magistrate."

B. Pocker Sahib Bahadur :—" Sir my question was based on the wording of the press communiqué which says: 'Orders have therefore

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issued to the District Magistrate to arrange for the release of persons still under detention excepting those convicted of more henious offences . . .' It is not left to the discretion of the District Magistrate, according to the communiqué?"

The hon. Diwan Bahadur Sir M. KRISHNAN NAYAR:—"No, it is not."

Mr. ABDUL HAMEED KHAN:—"In the communiqué the Government say: '. . . in view of the present conditions in Malabar and the continued peaceful conduct of the Mappilla population . . .' On these grounds the Government have decided to release these prisoners. May I know how the Government justify the exclusion of a certain class of prisoners when their premise establishes the fact that conditions have become normal?"

The hon. Diwan Bahadur Sir M. KRISHNAN NAYAR:—"Conditions really are normal. But these dangerous persons may have it in their power to cause trouble even in normal conditions."

B. POCKER SAHIB Bahadur:—"Does this communiquè apply to State prisoners, Sir?"

The hon. Diwan Bahadur Sir M. KRISHNAN NAYAR:—"I believe not, but I cannot say anything definitely about it now."

B. POCKER SAHIB Bahadur:—"May I know if their cases have not been considered by the Government?"

The hon. Diwan Bahadur Sir M. KRISHNAN NAYAR:—"Their cases have been considered and some of them have been already released."

Mr. ABDUL HAMEED KHAN:—"May I know whether the conditions in Malabar now are such as to enable State prisoners to be released?"

The hon. Diwan Bahadur Sir M. KRISHNAN NAYAR:—"The cases of State prisoners also will be considered."

Diwan Bahadur R. N. AROGYASWAMI MUDALIYAR:—"May I know why some are considered dangerous to society?"

The hon. Diwan Bahadur Sir M. KRISHNAN NAYAR:—"I am afraid my hon. Friend is asking me to repeat my answer for the third time."

Rao Bahadur T. A. RAMALINGAM CHETTIYAR:—"Have the Government considered the question of Mr. Narayana Menon in this connexion?"

The hon. Diwan Bahadur Sir M. KRISHNAN NAYAR:—"No, not in this connexion."

Rao Bahadur T. A. RAMALINGAM CHETTIYAR:—"Are they going to consider it now?"

The hon. Diwan Bahadur Sir M. KRISHNAN NAYAR:—"It is premature to say that now."

B. POCKER SAHIB Bahadur:—"Is Mr. Narayana Menon more dangerous than all these 2,000 Mappillas, Sir?"

The hon. Diwan Bahadur Sir M. KRISHNAN NAYAR:—"It is a matter of opinion."